

**RESOLUTION NO. 20060824-088**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**WHEREAS**, the City Council was requested to review and approve the use of parkland for the construction, operation and maintenance of an electric line through dedicated parkland known as Yett Creek Park along Riata Vista Circle; and

**WHEREAS**, notice of public meeting to be held on August 24, 2006, was given for three consecutive weeks on July 30, August 6, August 13, 2006 in a newspaper of general circulation; and

**WHEREAS**, such public hearing was held August 24, 2006, by the City Council to determine the approval of the improvements proposing the use of the preserve property; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

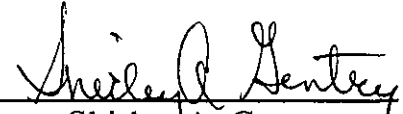
That the City Council finds that, having taken into account clearly enunciated local preferences, there is no feasible and prudent alternative to the use of the parkland (detailed in the attached Exhibit "A" and "B") for the construction, operation and maintenance of an electric line through the dedicated parkland and such proposed use is approved.

That the City Council finds that the program of improvements includes all reasonable planning to minimize harm to the park from the resulting use.

That the City Manager or her designee be authorized to take such measures as may be necessary, favorable or required to secure placement of the line.

**ADOPTED:** August 24, 2006

**ATTEST:**

  
Shirley A. Gentry  
City Clerk

City of Austin  
To  
City of Austin  
(For 10' Electric Easement)

**EXHIBIT "A"**

**FIELD NOTES FOR 0.270-ACRE PARCEL**

**ALL OF THAT CERTAIN 0.270-ACRE (11,781 SQUARE FEET) TRACT OR PARCEL BEING A 10-FOOT WIDE STRIP OF LAND SITUATED IN THE PETER CONRAD SURVEY NO. 112, TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PORTION OF THAT CERTAIN CALLED 40.545-ACRE TRACT AS CONVEYED BY DEED TO THE CITY OF AUSTIN IN VOLUME 10924, PAGE 390, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2" iron rod found in the curving west right-of-way line of the Missouri Pacific Railroad (100-foot R.O.W.) at the south corner of said called 40.545-acre City of Austin (C.O.A.) tract, same being the northeast corner of that certain 4.61-acre tract conveyed to John M. Larkin in Volume 5380, Page 1319 of the Deed Records of Travis County, Texas for the southeast corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, continuing with the common line between said 40.545-acre tract and said 4.61-acre tract, N56°25'51"W a distance of 10.97 feet to a calculated point for the southwest corner of this tract, from which point a 1/2" iron rod found bears N56°25'51"W a distance of 23.54 feet;

**THENCE**, through said C.O.A. 40.545-acre tract for the following two (2) courses:

- 1) Along the arc of a non-tangent curve to the right an arc length distance of 423.46 feet having a radius of 20,426.47 and a chord which bears N9°55'21"E a distance of 423.45 feet to a calculated point of tangency;
- 2) N10°28'35"E a distance of 754.21 feet to a calculated point in the southwest line of Lot 5, Block D, Milwood Section 20, a subdivision of record in Volume 85, Page 129D of the Plat Records of Travis County, Texas as conveyed to Ipers Palmer Business Park, Inc. in Document No. 2004065961 of the Official Public Records of Travis County, Texas;

**THENCE**, with the common line between said C.O.A. 40.545-acre tract and said Lot 5, S60°16'49"E a distance of 10.59 feet to a ½" iron rod set in said west right-of-way of Missouri Pacific Railroad for the east corner of said 40.545-acre tract, same being the south corner of said Lot 5 and the northeast corner of this tract, from which point a ½" iron rod found with a plastic cap labeled "Chaparral" bears S43°39'34"E a distance of 2.21 feet;

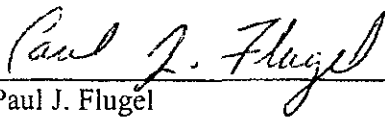
**THENCE**, with said west right-of-way line, same being the east line of said 40.545-acre tract for the following two courses:

- 1) S10°28'35"W a distance of 750.72 feet to a point of curvature of a non-tangent curve to the left;
- 2) Along the arc of said curve to the left an arc length distance of 427.75 feet having a radius of 20,416.47 and a chord which bears S9°54'58"W a distance of 427.75 feet to the POINT OF BEGINNING and containing 0.270-acre (11,781 square feet) of land, more or less.

**I HEREBY CERTIFY** that these field notes were prepared by Austin Energy from a survey made on the ground in April of 2006 under my supervision.

Refer to attached sketch, EXHIBIT "B"

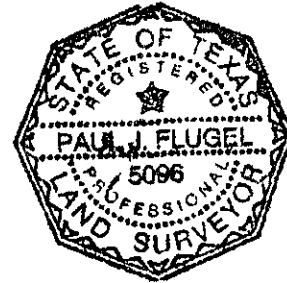
Prepared by Austin Energy:



Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date: April 19, 2006



Bearing Basis: The basis of bearing for this survey is the record bearing between two ½" iron rods found (S9°54'58"W) 427.75 feet apart along the east line of said 40.545-acre tract, (same being the west right-of-way line of Missouri Pacific Railroad) as stated in subject deed for said 40.545-acre tract recorded in Volume 10924, Page 390 of the Real Property Records of Travis County, Texas.

F:\Surveying\Dist\Misc 2006\Dorsett-40-acs\Fnote-Desc\dorsett-40.52acs-10'-esmt.

Austin Map No. 465, Grid J36

Tax Map Ref ID # 02-6603-0210

# **EXHIBIT "B"** **SURVEY OF A PORTION OF THE** **PETER CONRAD SURVEY NO. 112,** **TRAVIS COUNTY, TEXAS**

IPERS PALMER BUSINESS PARK, INC.  
 DOC. # 2004065961, O.P.R.T.C.T.

LOT 5, BLK. D  
 MILWOOD, SEC. 20  
 VOL. 85, PG. 129D  
 P.R.T.C.T.

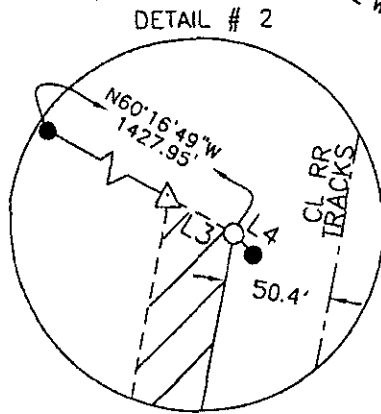
CL RR TRACKS

SCALE:  
 1" = 200'

## **LEGEND**

- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD SET
- 1/2" IRON ROD FOUND
- △ CALCULATED POINT
- ( ) RECORD INFORMATION
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- P.R.T.C.T. PLAT RECORDS  
 TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS  
 TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS  
 TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS  
 TRAVIS COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING

LINE	BEARING	DISTANCE
L1	N56°25'51"W	10.97'
L2	N56°25'51"W	23.54'
L3	S60°16'49"E	10.59'
L4	S43°39'34"E	2.21'



CITY OF AUSTIN  
 VOL. 10924 PG. 390  
 R.P.R.T.C.T.  
 (40.545 ACRES)

10' ELECTRIC EASEMENT  
 0.270-ACRE (11,781 S.F.)

10' ELECTRIC EASEMENT  
 VOL. 5688, PG. 1739  
 VOL. 5412, PG. 647  
 D.R.T.C.T.

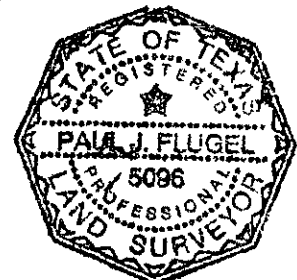
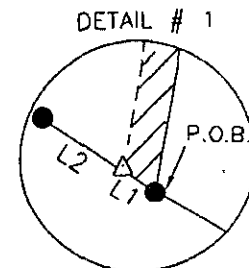
LOT 4  
 ANGUS VALLEY  
 NO. 11  
 VOL. 53, PG. 55  
 P.R.T.C.T.

JOHN M. LARKIN  
 AND SHEILA K. LARKIN  
 VOL. 5380, PG. 1319  
 D.R.T.C.T.  
 (4.61 ACRES)

AS SURVEYED BY:  
 AUSTIN ENERGY

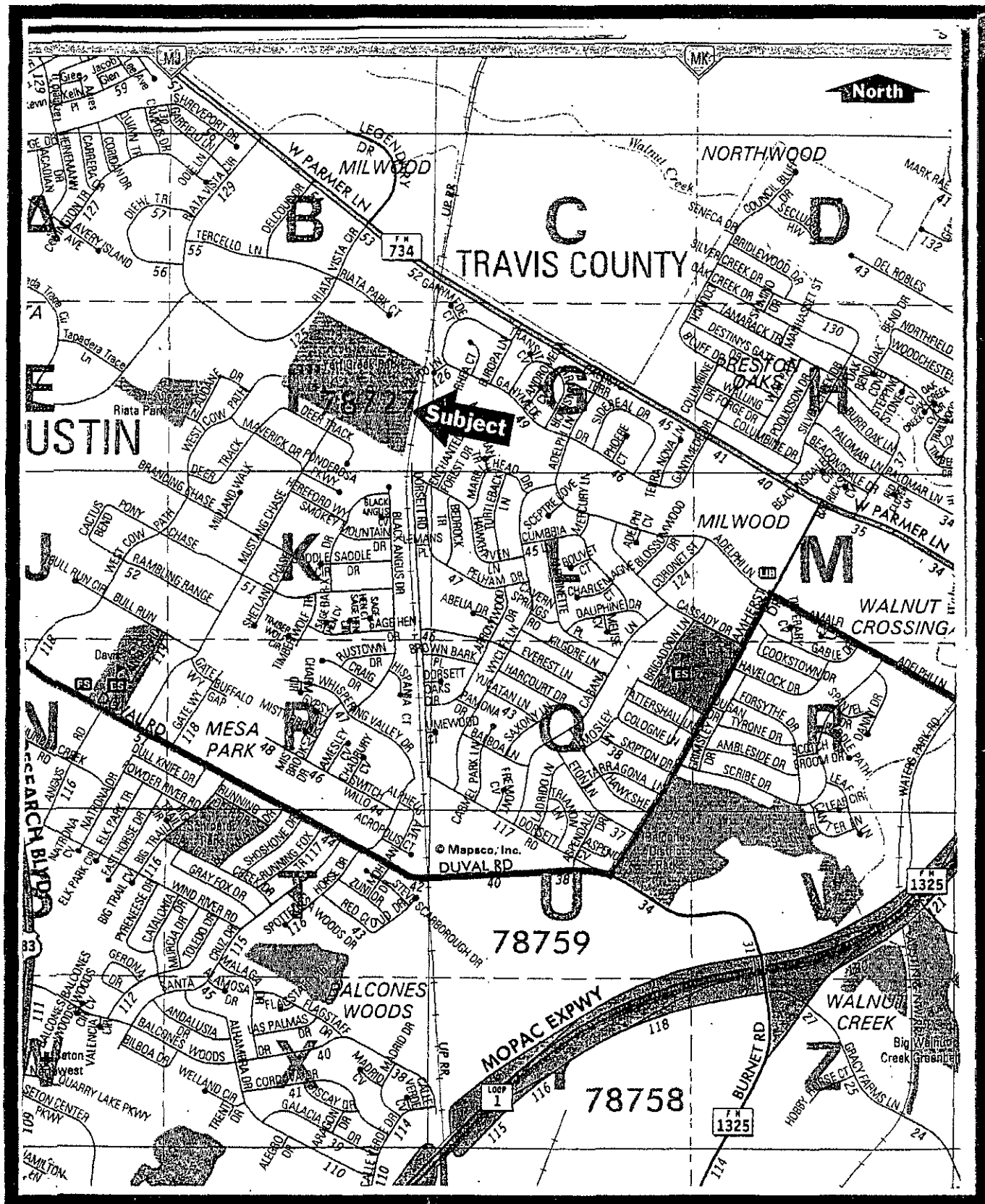
*Paul J. Flugel*

PAUL J. FLUGEL  
 REGISTERED PROFESSIONAL LAND SURVEYOR #5096  
 DATE : APRIL 18, 2006



SKETCH TO ACCOMPANY  
 METES AND BOUNDS DESCRIPTION  
 NOTE: REFERENCE METES AND BOUNDS  
 DESCRIPTION LABELED "EXHIBIT A"

COGO: Surveying/Misc2006/DorsettRdExhibit.pro  
 Drawing: Surveying\DIST\Misc2006\  
 DORSETT-RD-40ACS\DorsettRd-ESMT.DWG  
 FIELD: PJF, MG FB: 51-N, PG 6-8  
 OFFICE: PAUL FLUGEL, MATT ELIZONDO



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Area Map